RECORDATION NO. 28031 FILED

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SURFACE TRANSPORTATION BOARD

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20036

October 27, 2011

Chief Section of Administration Office of Proceedings Surface Transportation Board 395 E Street, S.W Washington, D.C 20423

Dear Section Chief,

Enclosed for recordation pursuant to the provisions of 49 U S.C. Section 11301(a) are two (2) copies of a Notice of Termination of Leases, dated as of October 26, 2011, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memoranda of Railcar Lease previously filed with the Board under Recordation Numbers 28031 and 28031-A.

The names and addresses of the parties to the enclosed document are:

Lessor BBRX Two LLC

545 Steamboat Road Greenwich, CT 06830

[Lessee Vulcan Materials Company

1200 Urban Center Drive Birmingham, AL 35242]

A description of the railroad equipment covered by the enclosed document is

40 railcars within the series BNBX 20001 – BNBX 20099 as set forth on Exhibits A and B attached to the document

A short summary of the document to appear in the index is:

Notice of Termination of Leases.

Also enclosed is a check in the amount of \$41.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

Edward M Luria

EML/sem Enclosures

RECORDATION NO. 28031-B

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#### NOTICE OF TERMINATION OF LEASES

SURFACE TRANSPORTATION BOARD

Notice is hereby given that the railcar leases identified on Exhibit A attached hereto between BBRX Two LLC, as Lessor, and the lessee there identified has been terminated or has expired in accordance with its terms as to the railcars also listed in Exhibit A attached hereto.

IN WITNESS WHEREOF, BBRX Two LLC, has caused this Notice to be executed by a duly authorized officer as of October 2, 2011.

BBRX TWO LLC, Lessor

By: New Province Rail Partners,

Manager

By: 55

Name: Leonard Shavel

Title: Vice President

I certify that I hold the title set forth below, that this instrument was signed on behalf of the Lessor by authority of its Manager and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the Lessor. I further declare under penalty of perjury that the foregoing is true and correct.

Nome: Leanard Slean

Name: Leonard Onavu

Title: Vice President

# EXHIBIT A (to Notice of Termination of Leases)

- 1 Memorandum of Full Service Railcar Lease, effective as of March 25, 2009, between BBRX Two LLC, Lessor, and Vulcan Materials Company, Lessee, filed with the Board on September 4, 2009 at 9:00 a.m. under Recordation Number 28031 (covering 20 railcars on Exhibit A attached hereto).
- 2. Memorandum of Full Service Railcar Lease, effective as of March 25, 2009, between BBRX Two LLC, Lessor, and Vulcan Materials Company, Lessee, filed with the Board on September 4, 2009 at 9:00 a.m. under Recordation Number 28031-A (covering 20 railcars on Exhibit B attached hereto).

#### **Equipment terminated:**

40 railcars within the series BNBX 20001 – BNBX 20099 as set forth on Exhibits A and B attached hereto.

#### **EXHIBIT A**

## Quantity/ Car Description

Twenty (20) 3250 CF, 2 pocket covered hopper railcars, AAR Car Type Code C112, built by Thrall Manufacturing in 2001

### Reporting Marks and Numbers

**BNBX 20001** 

BNBX 20004

**BNBX 20006** 

**BNBX 20019** 

**BNBX 20024** 

**BNBX 20028** 

BNBX 20029

**BNBX 20031** 

**BNBX 20032** 

**BNBX 20034** 

**BNBX 20035** 

**BNBX 20040** 

**BNBX 20044** 

**BNBX 20053** 

BNBX 20062

**BNBX 20065** 

**BNBX 20066** 

**BNBX 20071** 

**BNBX 20087** 

**BNBX 20098** 

#### **EXHIBIT B**

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# Quantity / Car Description

Twenty (20) 3250 CF, 2 pocket covered hopper railcars, AAR Car Type Code C112, built by Thrall Manufacturing in 2001

### Reporting Marks and Numbers

BNBX 20005

BNBX 20008

**BNBX 20023** 

**BNBX 20033** 

**BNBX 20037** 

BNBX 20042

BNBX 20045

BNBX 20049

**BNBX 20057** 

**BNBX 20073** 

BNBX 20079

BNBX 20081

BNBX 20082

**BNBX 20088** 

BNBX 20092

**BNBX 20093** 

**BNBX 20094** 

**BNBX 20095** 

BNBX 20097

**BNBX 20099** 

# **CERTIFICATION**

I, Edward M Luria, an attorney licensed to practice in the District of Columbia, the State of Delaware and the Commonwealth of Pennsylvania, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document

Dated 10 27 11

Edward M Luria